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| 10/656,665 | 09/05/2003 | Johannes Kocher | 16493 | 8316 |

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| EXAMINER | |
|---|---|
| PICO, ERIC E | |

| ART UNIT | PAPER NUMBER |
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| 3654 | |

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| 10/17/2008 | ELECTRONIC |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 10/656,665 | KOCHER ET AL. | |
| | Examiner | Art Unit | |
| | ERIC PICO | 3654 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *03 July 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-3,5-8 and 25-34* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3,5-8 and 25-34* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *05 September 2003* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☒ None of:

1.☐ Certified copies of the priority documents have been received.

2.☒ Certified copies of the priority documents have been received in Application No. 024005768.9.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

## DETAILED ACTION

### *Drawings*

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the counterweight guides and a first car guide of said pair of car guides are fastened to a first wall of the elevator shaft and a second car guide of said pair of car guides is fastened to a wall of the elevator shaft opposed to said first wall as claimed in claim 27, 32, and 34 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner,

the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. **Claim(s) 1, 2, 5-8, and 26** is/are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakagaki et al. U.S. Patent No. 6598707 in view of Strbuncelj et al. U.S. Publication No. 2002/0100902.

4. **Regarding claim 1**, Nakagaki et al. discloses an elevator installation having a car, referred to as cage 20, and a counterweight 30 connected by a drive means, referred to as front and back hoist cables 50, 60, and movable in a shaft 7 comprising:

5. a pair of car guides 22, 23 adapted to be mounted in the shaft 7;

6. a pair of counterweight guides 31, 32 adapted to be mounted in the shaft;

7. a crossbeam, referred to as connecting beam 33, attached to the counterweight guides 31, 32 and to car guide 22; and

8. a drive motor, referred to as hoist 41, mounted on the crossbeam 33 and drivingly coupled to a pair of drive pulleys, referred to as front and back traction sheaves 44, 45, adapted for engaging the drive means 50, 60 to move the car 20 and the counterweight 30 in the elevator shaft 7; and

9. wherein the drive pulleys 44, 45 are operatively drivingly connected with the drive motor 41 by drive shafts 42, 43.

10. Nakagaki et al. is silent concerning a brake operatively connected with the pair of drive pulleys by a common drive shaft, wherein said drive pulleys are spaced apart with a spacing which is less than an axial length of the motor, and wherein the drive pulleys are arranged between the drive motor and the brake on the common drive shaft.

11. Strbuncelj et al. teaches a drive motor 110 drivingly coupled to a pair of drive pulleys 120 adapted for engaging drive means to move a car and a counterweight in an elevator shaft; and

12. a brake 114 operatively connected with the pair of drive pulleys 120 by a common drive shaft 112,

13. wherein the drive pulleys 120 are operatively drivingly connected with the drive motor 110 and the brake 114 by the common drive shaft 112,

14. wherein the drive pulleys 120 are spaced apart with a spacing which is less than an axial length of the drive motor 110, and

15. wherein said drive pulleys 120 are arranged between the drive motor 110 and the brake 114 on the common drive shaft 112.

16. It would have been obvious to one of ordinary skill in the art at the time of the invention to space apart the drive pulleys disclosed by Nakagaki et al. a spacing which is less than an axial length of a motor as taught by Strbuncelj et al. and arrange the drive pulleys disclosed by Nakagaki et al. between the drive motor and the brake on a

common drive shaft as taught by Strbuncelj et al. to address foregoing size, cost and assembly drawbacks of traditional gearless machines.

17. It would have been obvious to one of ordinary in the art at the time of the invention was made to space the drive pulleys disclosed by Nakagaki et al. less than an axial length of the drive motor, since it has been held that where the general conditions of a claim are disclosed in the prior art, discovering the optimum or workable range involves only routine skill in the art. *In re Aller,* 105 USPQ 233.

18. **Regarding claim 2**, Nakagaki et al. discloses the drive pulleys 44, 45 are arranged on opposite sides of an imaginary line horizontal connector of the car guides 22, 23.

19. **Regarding claim 5**, Nakagaki et al. discloses wherein the drive motor 41 is mounted on a bracket, referred to as the portion of hoist 41 connected to connecting beam 33, fastened to the crossbeam 33.

20. Nakagaki et al. is silent concerning wherein the drive motor and the brake are mounted on a bracket fastened to the crossbeam.

21. Strbuncelj et al. teaches wherein the drive motor 110 and the brake 114 are mounted on a bracket, referred to as frame 130.

22. It would have been obvious to one of ordinary in the art at the time of the invention was made to mount the drive motor and the brake as taught by Strbuncelj et al. on a bracket fasted to the crossbeam disclosed by Nakagaki et al. to address foregoing size, cost and assembly drawbacks of traditional gearless machines.

23. **Regarding claim 6**, Nakagaki et al. discloses wherein the bracket is mounted at a center region of the crossbeam 33.

24. **Regarding claim 7**, Nakagaki et al. is silent concerning wherein the pulleys are arranged substantially in a region within an enclosure of the bracket.

25. Strbuncelj et al. teaches the pulleys 120 are arranged substantially in a region within an enclosure of the bracket 130.

26. It would have been obvious to one of ordinary in the art at the time of the invention was made to arrange the pulleys disclosed by Nakagaki et al. substantially in a region within an enclosure of the bracket as taught by Strbuncelj et al. to address foregoing size, cost and assembly drawbacks of traditional gearless machines.

27. **Regarding claim 8**, Nakagaki et al. discloses the counterweight guides 31, 32 and the car guide 22 are positioned at apices of a substantially horizontal triangle and the crossbeam 33 is fastened at end regions to the counterweight guides 31, 32 and at a center region to the car guide 22.

28. **Regarding claim 26**, Nakagaki et al. is silent concerning the drive motor and the brake are arranged on opposite ends of the common drive shaft.

29. Strbuncelj et al. teaches the drive motor 110 and the brake 114 are arranged on opposite ends of the common drive shaft 112.

30. It would have been obvious to one of ordinary in the art at the time of the invention was made to arrange the drive motor disclosed by Nakagaki et al. and the brake are arranged on opposite ends of the common drive shaft as taught by Strbuncelj

et al. to address foregoing size, cost and assembly drawbacks of traditional gearless machines.

31. **Claim(s) 3, 25, 28 and 29** is/are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakagaki et al. U.S. Patent No. 6598707 in view of Strbuncelj et al. U.S. Publication No. 2002/0100902 as applied to claim 1 above, and further in view of Yasuda et al. U.S. Patent No. 6488124.

32. **Regarding claim 3**, Nakagaki et al. discloses the drive means are belts, referred to as front and back hoist cable 50, 60.

33. Nakagaki et al. is silent concerning the drive pulleys are smaller in diameter than the drive motor and/or brake, and said drive motor is arranged in a region above a travel path of the car and a travel path of the counterweight.

34. Strbuncelj et al. teaches the drive pulleys 120 are smaller in diameter than the drive motor 110 and/or brake 114,

35. Yasuda et al. teaches a drive motor 107 is arranged in a region above a travel path of a car and a travel path of a counterweight 102, shown in Figure 4 and 5.

36. It would have been obvious to one of ordinary in the art at the time of the invention was made to make the drive pulleys disclosed by Nakagaki et al. smaller in diameter than the drive motor and/or brake as taught by Strbuncelj et al. to address foregoing size, cost and assembly drawbacks of traditional gearless machines.

37. It would have been obvious to one of ordinary in the art at the time of the invention was made to arrange the drive motor disclosed by Nakagaki et al. in a region above a travel path of the car and a travel path of the counterweight as taught by

Yasuda et al. to provide a machine-houseless traction sheave elevator by which the plane size and height of an elevator shaft can be decreased.

38. **Regarding claim 25**, Nakagaki et al. discloses the car 20 is suspended in the elevator shaft with a 2:1 ratio.

39. Nakagaki et al. is silent concerning wherein the drive pulleys are arranged above the travel path of the counterweight.

40. Yasuda et al. teaches the drive pulleys 110 are arranged above the travel path of the counterweight 102.

41. It would have been obvious to one of ordinary in the art at the time of the invention was made to arrange the drive pulleys disclosed by Nakagaki et al. above the travel path of the counterweight as taught by Yasuda et al. to provide a machine-houseless traction sheave elevator by which the plane size and height of an elevator shaft can be decreased.

42. **Regarding claim 28**, Nakagaki et al. discloses the drive means are belts, referred to as front and back hoist cable 50, 60.

43. Nakagaki et al. is silent concerning the drive pulleys are smaller in diameter than the drive motor and/or the brake, and the drive motor is arranged completely in a region above a travel path of the car.

44. Strbuncelj et al. teaches the drive pulleys 120 are smaller in diameter than the drive motor 110 and/or brake 114,

45. Yasuda et al. teaches a drive motor 107 is arranged completely in a region above a travel path of a car, shown in Figure 4 and 5.

46. It would have been obvious to one of ordinary in the art at the time of the invention was made to make the drive pulleys disclosed by Nakagaki et al. smaller in diameter than the drive motor and/or brake as taught by Strbuncelj et al. to address foregoing size, cost and assembly drawbacks of traditional gearless machines.

47. It would have been obvious to one of ordinary in the art at the time of the invention was made to arrange the drive motor disclosed by Nakagaki et al. completely in a region above a travel path of the car as taught by Yasuda et al. to provide a machine-houseless traction sheave elevator by which the plane size and height of an elevator shaft can be decreased.

48. **Regarding claim 29**, Nakagaki et al. discloses wherein a deflecting roller 44, 45 is arranged above a travel path of the counterweight 30 and the deflecting roller 44, 45 is fastened to the crossbeam 33.

49. **Claim(s) 27** is/are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakagaki et al. U.S. Patent No. 6598707 in view of Strbuncelj et al. U.S. Publication No. 2002/0100902 as applied to claim 1 above, and further in view of Tofanelli U.S. Patent No. 2848077.

50. Nakagaki et al. is silent concerning wherein said counterweight guides and a first car guide of said pair of car guides are fastened to a first wall of the elevator shaft and a second car guide of said pair of guides is fastened to a wall of the elevator shaft opposed to said first wall.

51. Tofanelli teaches guides 3 fastened to a wall 1 of the elevator shaft.

52. It would have been obvious to one of ordinary in the art at the time of the invention was made to fasten the counterweight guides and a first car guide of said pair of car guides disclosed by Nakagaki et al. to a first wall of the elevator shaft as taught by Tofanelli and fasten a second car guide of said pair of guides disclosed by Nakagaki et al. to a wall of the elevator shaft as taught by Tofanelli opposed to said first wall to provide rigid guides.

53. **Claim(s) 30, 31, and 33** is/are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakagaki et al. U.S. Patent No. 6598707 in view of Strbuncelj et al. U.S. Publication No. 2002/0100902 and Yasuda et al. U.S. Patent No. 6488124.

54.

55. **Regarding claim 30**, Nakagaki et al. discloses an elevator installation having a car, referred to as cage 20, and a counterweight 30 connected by a drive means, referred to as front and back hoist cables 50, 60, and movable in an elevator shaft 7 comprising:

56. a pair of car guides 22, 23 adapted to be mounted in the elevator shaft 7;

57. a pair of counterweight guides 31, 32 adapted to be mounted in the elevator shaft 7;

58. a crossbeam, referred to as connecting beam 33, attached to said counterweight guides 31, 32 and to at least one of said car guides 22;

59. a drive motor, referred to as hoist 41, mounted on said crossbeam 33 and drivingly coupled to a pair of drive pulleys, referred to as front and back traction sheaves

44, 45, adapted for engaging the drive means 50, 60 to move the car 20 and the counterweight 30 in the elevator shaft; and

60. wherein said drive pulleys 44, 45 are operatively drivingly connected with said drive motor 41 by a drive shaft 42, 43,

61. wherein said drive means are belts, referred to as front and back hoist cable 50, 60,

62. wherein said drive motor 41 is arranged in a region above a travel path of the counterweight 30, and

63. wherein the said drive pulleys 44, 45 are arranged above said travel path of the counterweight 30 and said car 20 is suspended in the elevator shaft with a 2:1 ratio.

64. Nakagaki et al. is silent concerning a brake operatively connected with said pair of drive pulleys by a common drive shaft, wherein said drive pulleys are operatively drivingly connected with said drive motor and said brake by said common drive shaft, wherein said drive pulleys are spaced apart with a spacing which is less than an axial length of said drive motor, wherein said drive pulleys are arranged between said drive motor and said brake on said common drive shaft, wherein said drive pulleys are smaller in diameter than said drive motor and/or said brake, and wherein said drive motor is arranged in a region above a travel path of the car.

65. Strbuncelj et al. teaches a drive motor 110 drivingly coupled to a pair of drive pulleys 120 adapted for engaging drive means to move the car and the counterweight in the elevator shaft; and

66. a brake 114 operatively connected with said pair of drive pulleys 120 by a common drive shaft 112,

67. wherein said drive pulleys 120 are operatively drivingly connected with said drive motor 110 and said brake 114 by said common drive shaft 112,

68. wherein said drive pulleys 120 are spaced apart with a spacing which is less than an axial length of said drive motor 110,

69. wherein said drive pulleys 120 are arranged between said drive motor 110 and said brake 114 on said common drive shaft 112,

70. wherein said drive means are belts and said drive pulleys 120 are smaller in diameter than said drive motor 110 and/or said brake 114.

71. Yasuda et al. teaches an elevator installation having a car 101 and a counterweight 102 connected by a drive means 111 and movable in an elevator shaft 103 comprising:

72. a pair of car guides 104 adapted to be mounted in the elevator shaft 103;

73. a pair of counterweight guides 105 adapted to be mounted in the elevator shaft 103;

74. a crossbeam 108 attached to said counterweight guides 105 and to at least one of said car guides 104;

75. a drive motor 116 mounted on said crossbeam 108 and drivingly coupled to a pair of drive pulleys 110 adapted for engaging the drive means 111 to move the car 101 and the counterweight 102 in the elevator shaft 103; and

76. a brake 118 operatively connected with said pair of drive pulleys 110 by a common drive shaft 125,

77. wherein said drive pulleys 110 are operatively drivingly connected with said drive motor 116 and said brake 118 by said common drive shaft 125,

78. wherein said drive means 111 are belts,

79. wherein said drive motor 116 is arranged in a region above a travel path of the car 101 and a travel path of the counterweight 102, shown in Figure 4 and 5, and

80. wherein the said drive pulleys 110 are arranged above said travel path of the counterweight 102.

81. It would have been obvious to one of ordinary in the art at the time of the invention was made to operatively connect the pair of drive pulleys disclosed by Nakagaki et al. by a common drive shaft between a brake and drive motor as taught by Strbuncelj et al., space apart the drive pulleys disclosed by Nakagaki et al. with a spacing which is less than an axial length of said drive motor as taught by Strbuncelj et al., and make the drive pulleys smaller disclosed by Nakagaki et al. in diameter than the drive motor and/or brake as taught by Strbuncelj et al. to address foregoing size, cost and assembly drawbacks of traditional gearless machines.

82. It would have been obvious to one of ordinary in the art at the time of the invention was made to arrange the drive motor disclosed by Nakagaki et al. in a region above a travel path of the car as taught by Yasuda et al. to provide a machine-houseless traction sheave elevator by which the plane size and height of an elevator shaft can be decreased.

83. **Regarding claim 31**, Nakagaki et al. is silent concenring wherein said drive motor and said brake are arranged on opposite ends of said common drive shaft.

84. Strbuncelj et al. teaches wherein said drive motor 110 and said brake 114 are arranged on opposite ends of said common drive shaft 112.

85. It would have been obvious to one of ordinary in the art at the time of the invention was made to arrange the drive motor and the brake disclosed by Nakagaki et al. on opposite ends of a common drive shaft as taught by Strbuncelj et al. to address foregoing size, cost and assembly drawbacks of traditional gearless machines.

86. **Regarding claim 33**, Nakagaki et al. discloses an elevator installation having a car, referred to as cage 20, and a counterweight 30 connected by a drive means, referred to as front and back hoist cables 50, 60, and movable in an elevator shaft 7 comprising:

87. a pair of car guides 22, 23 adapted to be mounted in the elevator shaft 7;

88. a pair of counterweight guides 31, 32 adapted to be mounted in the elevator shaft 7;

89. a crossbeam, referred to as connecting beam 33, attached to said counterweight guides 31, 32 and to at least one of said car guides 22;

90. a drive motor, referred to as hoist 41, mounted on said crossbeam 33 and drivingly coupled to a pair of drive pulleys, referred to as front and back traction sheaves 44, 45, adapted for engaging the drive means 50, 60 to move the car 20 and the counterweight 30 in the elevator shaft 7; and

91. wherein the drive means 50, 60 are belts, and

92. wherein a deflecting roller 44, 45 is arranged above a travel path of the counterweight 30 and said deflecting roller 44, 45 is fastened to said crossbeam 33.

93. Nakagaki et al. is silent concerning a brake operatively connected with said pair of drive pulleys by a common drive shaft, wherein said drive pulleys are operatively drivingly connected with said drive motor and said brake by said common drive shaft, wherein said drive pulleys are spaced apart with a spacing which is less than an axial length of said drive motor, wherein said drive pulleys are arranged between said drive motor and said brake on said common drive shaft, wherein said drive pulleys are smaller in diameter than said drive motor and/or said brake, and said drive motor is arranged completely in a region above a travel path of the car.

94. Strbuncelj et al. teaches a drive motor 110 drivingly coupled to a pair of drive pulleys 120 adapted for engaging the drive means to move the car and the counterweight in the elevator shaft; and

95. a brake 114 operatively connected with said pair of drive pulleys 120 by a common drive shaft 112,

96. wherein said drive pulleys 120 are operatively drivingly connected with said drive motor 110 and said brake 114 by said common drive shaft 112,

97. wherein said drive pulleys 120 are spaced apart with a spacing which is less than an axial length of said drive motor 110,

98. wherein said drive pulleys 120 are arranged between said drive motor 110 and said brake 114 on said common drive shaft 112,

99. wherein the drive means are belts and said drive pulleys 120 are smaller in diameter than said drive motor 110 and/or said brake 114.

100. Yasuda et al. teaches an elevator installation having a car 101 and a counterweight 102 connected by a drive means 111 and movable in an elevator shaft 103 comprising:

101. a pair of car guides 104 adapted to be mounted in the elevator shaft 103;

102. a pair of counterweight guides 105 adapted to be mounted in the elevator shaft 103;

103. a crossbeam 108 attached to said counterweight guides 105 and to at least one of said car guides 104;

104. a drive motor 116 mounted on said crossbeam 108 and drivingly coupled to a pair of drive pulleys 110 adapted for engaging the drive means 111 to move the car 101 and the counterweight 102 in the elevator shaft 103; and

105. a brake 118 operatively connected with said pair of drive pulleys 110 by a common drive shaft 125,

106. wherein said drive pulleys 110 are operatively drivingly connected with said drive motor 116 and said brake 118 by said common drive shaft 125,

107. wherein the drive means 111 are belts, and said drive motor 116 is arranged completely in a region above a travel path of the car 101, shown in Figure 4 and 5, and

108. wherein a deflecting roller 110 is arranged above a travel path of the counterweight 102 and said deflecting roller 110 is fastened to said crossbeam 108.

109. It would have been obvious to one of ordinary in the art at the time of the invention was made to operatively connect the pair of drive pulleys disclosed by Nakagaki et al. by a common drive shaft between a brake and drive motor as taught by Strbuncelj et al., space apart the drive pulleys disclosed by Nakagaki et al. with a spacing which is less than an axial length of said drive motor as taught by Strbuncelj et al., and make the drive pulleys smaller disclosed by Nakagaki et al. in diameter than the drive motor and/or brake as taught by Strbuncelj et al. to address foregoing size, cost and assembly drawbacks of traditional gearless machines.

110. It would have been obvious to one of ordinary in the art at the time of the invention was made to arrange the drive motor disclosed by Nakagaki et al. in a region above a travel path of the car as taught by Yasuda et al. to provide a machine-houseless traction sheave elevator by which the plane size and height of an elevator shaft can be decreased.

111. **Claim(s) 32 and 34** is/are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakagaki et al. U.S. Patent No. 6598707 in view of Strbuncelj et al. U.S. Publication No. 2002/0100902 and Yasuda et al. U.S. Patent No. 6488124 as applied to claim 30 and 33 above, and further in view of Tofanelli U.S. Patent No. 2848077.

112. Nakagaki et al. is silent concerning wherein said counterweight guides and a first car guide of said pair of car guides are fastened to a first wall of the elevator shaft and a second car guide of said pair of guides is fastened to a wall of the elevator shaft opposed to said first wall.

113. Tofanelli teaches guides 3 fastened to a wall 1 of the elevator shaft.

114. It would have been obvious to one of ordinary in the art at the time of the invention was made to fasten the counterweight guides and a first car guide of said pair of car guides disclosed by Nakagaki et al. to a first wall of the elevator shaft as taught by Tofanelli and fasten a second car guide of said pair of guides disclosed by Nakagaki et al. to a wall of the elevator shaft as taught by Tofanelli opposed to said first wall to provide rigid guides.

***Response to Arguments***

115. Applicant's arguments with respect to claims 1-3, 5-16, and 21-24 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

116. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ERIC PICO whose telephone number is (571)272-5589. The examiner can normally be reached on 6:30AM - 3:00PM M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Cuomo can be reached on 571-272-6856. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

EEP
/Peter M. Cuomo/
Supervisory Patent Examiner, Art Unit 3654